

# TOWN OF URBANNA

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## TIER III PETITION – URBANNA CREEK

1. Town of Urbanna
2. PO Box 179, Urbanna, Virginia 23175; 804-758-2613
3. The Town of Urbanna boundary lines extend to the center of the creek. The Town of Urbanna and Urbanna Creek has served as a port area since colonial times, dating back to 1680. Historic vistas surround the creek area and swamp areas at the headwaters. The town of Urbanna also serves as a bird and wildlife sanctuary. Urbanna Creek provides a recreational boating designation for the Chesapeake Bay with many marinas and slips designated to transient boaters.
4. Designation of Urbanna Creek to Tier III status in accordance with Section 9VAC25-260-30 A.3.c.
5. It is imperative for the survival of the local community that Urbanna Creek be protected and preserved for future generations. The Town of Urbanna has jurisdiction to the center of the channel of Urbanna Creek and considers the waterfront port facilities its' most valuable asset, historically, environmentally, and economically.
6. To preserve, protect, and improve Urbanna Creek as a valuable, aquatic resource for the enjoyment of future generations.
7. Enclosed, as Exhibit I is a resolution requesting Hampton Roads Sanitation District to remove the present effluent being pumped into Urbanna Creek. Enclosed, as Exhibit II is USGS 37076 E5 and F5 map of Urbanna Creek; and Exhibit III is a resolution of the Urbanna Town Council Regarding Designation of Urbanna Creek as an Exceptional State Water (Tier III Status).

### Other Information:

1. Urbanna Creek.

2. From the mouth of the creek at Bailey Point all the way up to and including Town Bridge Pond and all tributaries named or unnamed like Glebe Swamp and Town Bridge Swamp.
3. This water body possesses outstanding scenic beauty resulting from the natural features of the basin, such as its topography, geology, ecology or physiography. There is also exceptional recreational opportunity in Urbanna Creek which do not require modification of the existing natural setting such as fishing, canoeing, rafting, kayaking, tubing, water skiing bird watching, or the like. Christchurch School uses Urbanna Creek for its' crewing.
4. Urbanna Creek is impaired due to violations of dissolved oxygen, fecal coliform bacteria, submerged aquatic vegetation (not enough), and a fish consumption advisory due to PCBs.
5. According to Dr. Kenneth A. Moore, Professor of Marine Science, Chair, Department of Biological Sciences, Virginia Institute of Marine Science, School of Marine Science, College of William and Mary, Urbanna Creek has historically had beds of eelgrass and widgeon grass, underwater grass species that are an important component of a healthy bay ecosystem. These underwater grasses are very sensitive to water quality conditions and are negatively affected by nutrients and suspended sediments, and because of this their occurrence is a signal of good water quality. Recently, these underwater grasses have increased in this region of the Rappahannock from historically low levels. Although they are not yet back in Urbanna Creek, their abundance suggests that this region of the Rappahannock has improving water quality. In large part this may be due to low levels of enrichment of the local waters by nutrients and sediments. Continued expansion of these beds requires that water quality conditions are not degraded and, in fact, improved as much as possible to meet the historical designated use abundances that are required by state water quality standards (9 VAC 25-260 Virginia Water Quality Standards).
6. Also enclosed are photos of Urbanna Creek, and information on the historical character of Rosegill at the entrance to Urbanna Creek, along with the National Register of Historic Places designating the Urbanna Historic District.

Respectfully Submitted,



G. Lewis Filling  
Chief Administrative Officer

grd

A Resolution of the Urbanna Town Council Regarding  
Treatment of Town Wastewater in Urbanna Creek

WHEREAS, the Town of Urbanna transferred ownership of Urbanna Sewage Treatment Facility that services areas that includes the Town of Urbanna, Bethpage, and nearby regions to Hampton Roads Sanitation District together with the debt in 1999; and

WHEREAS, the Town of Urbanna has jurisdiction to the center of the channel of Urbanna Creek and considers the waterfront port facilities its most valuable asset historically, environmentally and economically; and

WHEREAS the cumulative effects of multiple sources of water application of sewage creates a hazard to the health, safety and welfare of the residents of the Town of Urbanna; and

WHEREAS, the Town of Urbanna is desirous of protecting Urbanna Creek from all pollution sources and especially water application sewage systems that prohibit recovery of the water quality of the Creek; and

WHEREAS, the Urbanna Town Council is desirous to promote land application standards for the development of privately and publicly constructed wastewater treatment facilities; and

WHEREAS, the Town of Urbanna is required by law pursuant in the Federal Water Pollution Control Amendments of 1972 and subsequent amendments and §10.1-200, the Virginia Chesapeake Bay Preservation Act of 1988, which restricts the nutrient limits and toxic substances in territorial seas, which includes the Chesapeake Bay and its tributaries; and

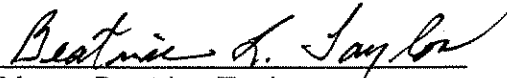
WHEREAS, the Urbanna Sewage Treatment Facility discharges its effluent into Urbanna Creek; and

NOW, THEREFORE BE IT RESOLVED, that the Urbanna Town Council hereby requests the Hampton Roads Sanitation District design a modification or replacement of the existing Urbanna Sewage Treatment Facility with a land treatment plant for the permanent treatment of sewage pursuant to Chapter 32, Virginia Pollution Abatement (VPA) Permit Regulation, EPA 40 CFR Part 503, and the Biosolids Use Regulations (12 VAC 5-585-10 et seq.) adopted by the Virginia Department of Environmental Quality and the Virginia Nutrient Management Standards and Criteria; and

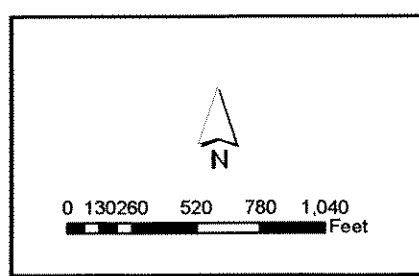
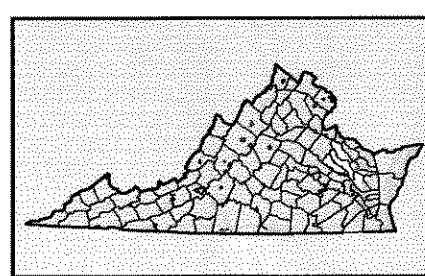
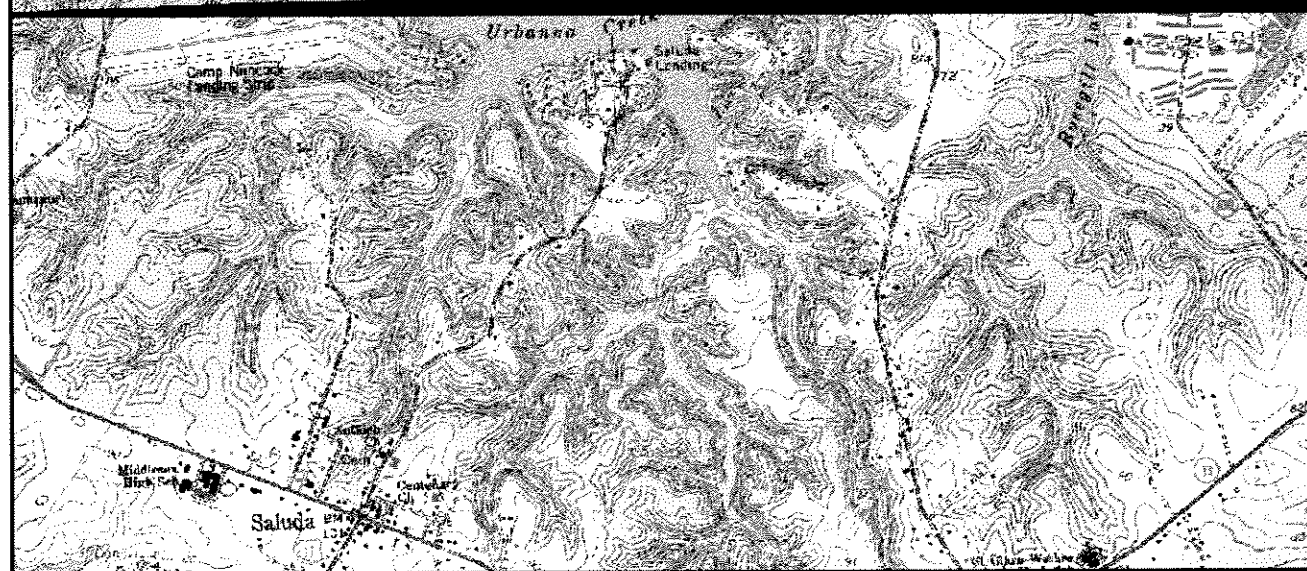
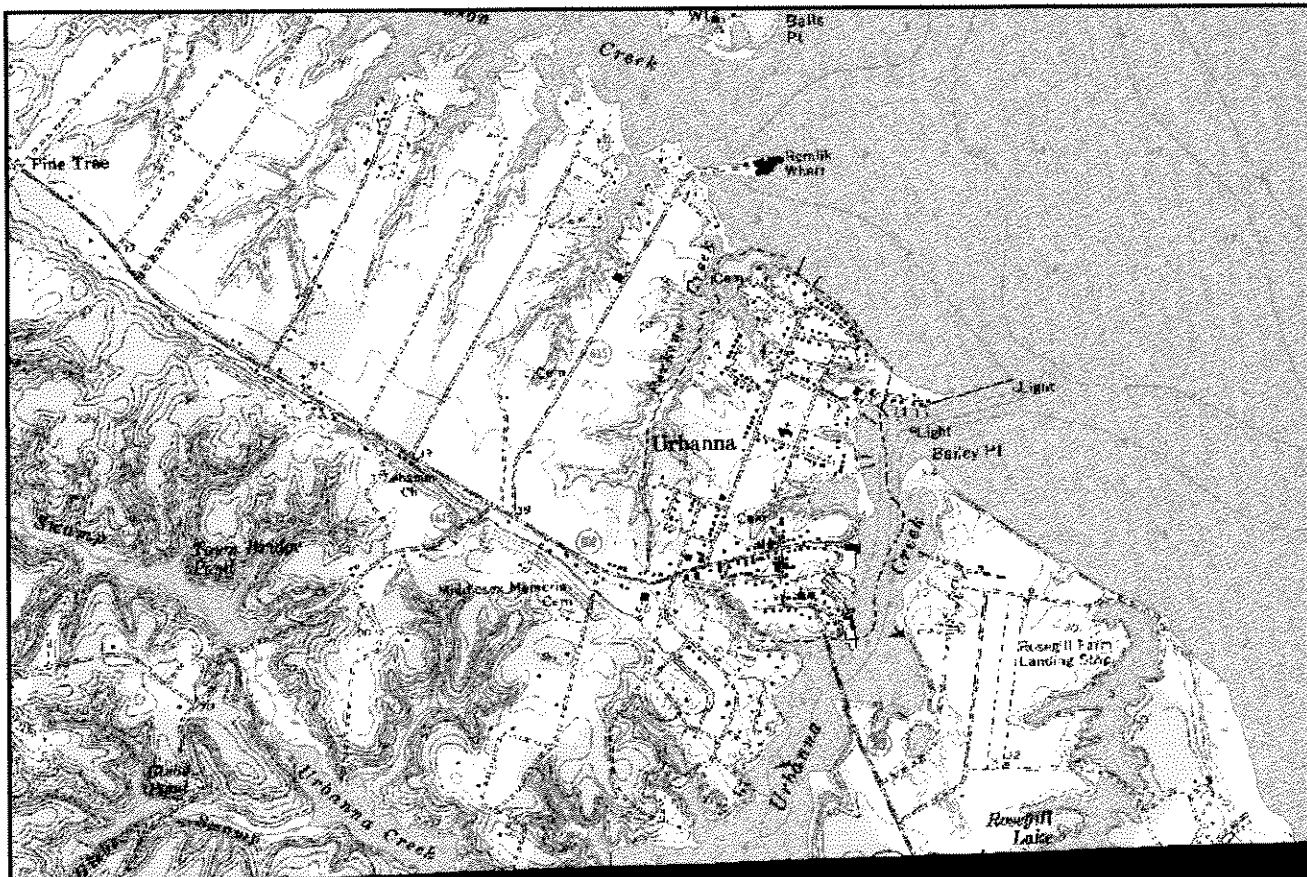
BE IT FURTHER RESOLVED, that the Town of Urbanna opposes any and all discharges of treated sewage effluent into the waters of Urbanna Creek.

Exhibit 1

To protect the public health, safety and general welfare of the citizens of the Town of Urbanna and the Urbanna Creek area. This Resolution is hereby adopted by the Urbanna Town Council this 23<sup>rd</sup> day of February 2009.

  
Mayor Beatrice Taylor

# Urbanna Creek, Urbanna VA- USGS 37076 E5 and F5



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Virginia Coastal Zone  
MANAGEMENT PROGRAM

A Resolution of the Urbanna Town Council  
Regarding Designation of Urbanna Creek As An  
Exceptional State Water  
(Tier 3 Status)

WHEREAS, the Town of Urbanna has jurisdiction to the center of the channel of Urbanna Creek and considers the waterfront port facilities to be one of its' most valuable assets historically, environmentally and economically; and

WHEREAS, the Town of Urbanna recognizes the Historical, Cultural, and Recreational value to the general public of Urbanna Creek; and

WHEREAS, the Virginia Department of Historical Resources and the Secretary of the Interior of the United States has designated the Rosegill Plantation as a National Historic Place which includes Urbanna Creek. The National Register of Historic Places designation application states that Rosegill ranks among the oldest and most historic estates in America. In addition this document states in its final paragraph that the extensive nature of the original complex, coupled with its associations with some of the colonies' most prestigious individuals, make Rosegill potentially one of the state's richest archaeological sites; and

WHEREAS, the Virginia Department of Historical Resources and the Secretary of the Interior of the United States has designated the Business District of Urbanna as an historic district, generally from the entrance of the bridge (Rt. 227) all along the waterfront to the Town Marina, and up Virginia Street to the Fire Station; and

WHEREAS, the Town of Urbanna recognizes the need to protect Urbanna Creek from pollutants, and has passed a resolution for protecting Urbanna Creek from all pollution sources and especially water application sewage systems that prohibit recovery of the water quality of the Creek; and

WHEREAS, Urbanna Creek is the only waterway of its kind on the Chesapeake Bay. The exceptional scenic beauty of the Creek has been captured by famous Chesapeake Bay artist John Barber.

WHEREAS, the Town of Urbanna provides public access to the waterfront by boat, car, bicycling, and walking and it has been the home of the State of Virginia Oyster Festival for 51 years.

NOW, THEREFORE BE IT RESOLVED, that the Urbanna Town Council hereby nominates Urbanna Creek and requests that the Department of Environmental Quality grants TIER 3 Exceptional Water of Virginia status to Urbanna Creek. The U.S. Environmental Protection Agency under Federal Water Quality Standards Regulation 40CFR 131.12, and DEQ Guidance memo No. 04-2021, gives guidance and requires all states to allow citizens to nominate surface

waters of stream segments as outstanding natural resource waters, called exceptional (or Tier III) waters in Virginia.

This Resolution is hereby adopted by the Urbanna Town Council this 20<sup>th</sup> day of April 2009.

Beatrice L. Taylor  
Mayor Beatrice Taylor